

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

\* \* \*

BENJAMIN ESPINOSA,

Plaintiff,

v.

DAVIS, *et al.*,

Defendants.

Case No. 3:25-CV-00355-MMD-CLB

**ORDER**

[ECF Nos. 2, 3]

*Pro se* Plaintiff Benjamin Espinosa, (“Espinosa”) who is incarcerated in the custody of the Nevada Department of Corrections (“NDOC”), has submitted a civil rights complaint under 42 U.S.C. § 1983, (ECF No. 8), a motion for temporary restraining order, (ECF No. 2), and a motion for preliminary injunction, (ECF No. 3). The Court screened Espinosa’s civil rights complaint under 28 U.S.C. § 1915A and allowed him to proceed on claims under the Eighth Amendment and Article 1, Section 6 of the Nevada Constitution against several Defendants. (See ECF No. 10.) The Court also noted that the two motions for TRO and PI would be addressed in a separate order. (*Id.* at 8.)

Espinosa seeks a Court order directing Northern Nevada Correctional Center (“NNCC”) officials “to turn on the swamp coolers at NNCC and ensure the units are [at] appropriate temp[eratures].” (ECF Nos. 2 at 4-5, 3 at 3-5.) He further requests the Court order NNCC officials to conduct daily temperature checks and to permit inmates to open their own windows to permit airflow in the cells. (ECF Nos. 2 at 5, 3 at 5.)

Accordingly, **IT IS ORDERED** that the NDOC shall respond to the motions, (ECF Nos. 2, 3), by no later than **August 4, 2025**. Espinosa will have 7 days after service of a response to file his reply.

**IT IS FURTHER ORDERED** that the 90-day stay remains in place, and until the Court lifts the stay, no other pleadings or papers may be filed in this case, and the parties may not engage in any discovery, nor are the parties required to respond to any paper

1 filed in violation of the stay unless specifically ordered by the Court to do so.

2 **IT IS SO ORDERED.**

3 **DATED:** July 21, 2025

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5 **UNITED STATES MAGISTRATE JUDGE**